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UNITED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH  
CENTRAL DIVISION

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THE WIZARD TRADES, LLC; and  
MICHAEL HUBBS,

Plaintiffs,

v.

CHARLTON LACHASE; ANDRA RUSH;  
STEVEN DUHON; and BRIAN  
HERTNEKY,

Defendants.

**ORDER GRANTING MOTION TO  
WITHDRAW AS COUNSEL  
(DOC. NO. 74)**

Case No. 2:23-cv-00207

District Judge David Barlow

Magistrate Judge Daphne A. Oberg

Attorney Randall B. Bateman of Bateman IP moves to withdraw as counsel for Plaintiffs The Wizard Trades, LLC and Michael Hubbs.<sup>1</sup> The motion contains certification that Plaintiffs have been served with a copy of the motion to withdraw, and Plaintiffs have consented to the withdrawal.<sup>2</sup> The deadline to respond to the motion has passed and no response has been filed. For the reasons stated in the motion, and pursuant to DUCivR 83-1.4, the court GRANTS the motion and ORDERS as follows:

1. Mr. Bateman may withdraw and is hereby removed as counsel for Plaintiffs The Wizard Trades, LLC and Michael Hubbs.

2. **Michael Hubbs:** Within twenty-one (21) days after the entry of this order, Mr. Hubbs shall file a notice of pro se appearance, or new counsel shall file a notice of appearance on Mr. Hubbs' behalf.

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<sup>1</sup> (Doc. No. 74.)

<sup>2</sup> (*Id.* at 2.)

3. **The Wizard Trades, LLC:** Within twenty-one (21) days after the entry of this order, new counsel shall file a notice of appearance on behalf of The Wizard Trades, LLC.

Pursuant to DUCivR 83-1.3(c), an entity may not appear pro se, but must be represented by an attorney who is admitted to practice in this court.

4. A party who fails to file a notice of appearance as set forth above may be subject to sanction pursuant to Federal Rule of Civil Procedure 16(f)(1), including but not limited to dismissal or default judgment.

5. This action is STAYED until twenty-one (21) days after entry of this order.

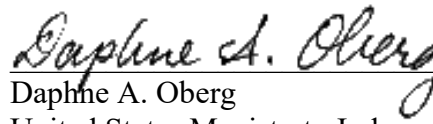
6. The deadlines to respond to the motions to dismiss<sup>3</sup> filed by Defendant Brian Hertneky and Defendant Steven Duhon are STAYED. The court will set new response deadlines after Plaintiffs file notices of appearance as set forth above.

#### NOTICE TO PARTIES

The court will cause this order to be sent to Mr. Hubbs and The Wizard Trades, LLC at the address set forth in the motion to withdraw, and to all other parties.

DATED this 5th day of December, 2023.

BY THE COURT:

  
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Daphne A. Oberg  
United States Magistrate Judge

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<sup>3</sup> (Doc. Nos. 76, 77.)